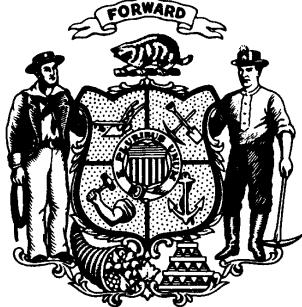


State of Wisconsin



1995 Senate Bill 440

Date of enactment: April 22, 1996
Date of publication*: May 6, 1996

1995 WISCONSIN ACT 273

AN ACT to repeal 881.01 (3) and (4); **to renumber and amend** 221.04 (6a); **to amend** 223.10, 223.105 (6), 223.12 (1) (b) (intro.), 223.12 (2), 223.12 (4) (a) 1., 223.12 (4) (b), 223.12 (4) (c), 223.12 (4) (e) and 881.02; **to repeal and recreate** 223.105 (6) and 223.12; **to create** 221.04 (6a) (a), 881.015 and 881.016 of the statutes; and **to affect** 1995 Wisconsin Act 27, section 6202 and 1995 Wisconsin Act 27, section 9459 (7); **relating to:** banks and trust companies investing trust funds and foreign trust companies acting as executors or trustees in this state.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 221.04 (6a) of the statutes is renumbered 221.04 (6a) (b) and amended to read:

221.04 (6a) (b) Every such bank exercising trust powers shall keep its trust accounts in books separate from its other books of account. All funds and property held by it in a trust capacity shall, at all times, be kept separate from the other funds and property of the bank, except that uninvested trust funds may be deposited in an account in such the bank or in any other bank, provided any such bank including an affiliated bank, that is a member of the Federal Deposit Insurance Corporation. All such deposits of uninvested trust funds shall be deposited as trust funds to its credit as trustee and not otherwise. All bank accounts comprising trust funds so deposited shall, in the event of insolvency or liquidation of any bank in which such accounts are maintained, have preference and priority in all assets of such bank over its general creditors without the necessity of tracing or identifying such trust funds.

SECTION 2. 221.04 (6a) (a) of the statutes is created to read:

221.04 (6a) (a) In this subsection, “affiliated bank” means, with respect to a bank exercising trust powers, any bank that directly or indirectly controls, or is directly or indirectly controlled by, or is under common control with, the bank exercising trust powers.

SECTION 3. 223.10 of the statutes is amended to read:

223.10 Organizations as fiduciaries. Except as provided in s. 880.35, no court or probate registrar in this state may appoint or issue letters to any corporation, limited liability company, association, partnership or business trust as trustee, personal representative, guardian, conservator, assignee, receiver, or in any other fiduciary capacity unless such corporation, limited liability company, association, partnership or business trust is subject to regulation and examination under s. 223.105, or is a national bank, state or federal savings and loan association, state or federal savings bank or federal credit union with authority to exercise such powers, or is a foreign corporation operating under s. 223.12.

SECTION 4. 223.105 (6) of the statutes is amended to read:

223.105 (6) **SUNSET.** Except for an organization regulated by the office of the commissioner of credit unions or the commissioner of savings and loan or an organiza-

* Section 991.11, WISCONSIN STATUTES 1993–94: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

tion authorized by the commissioner of banking to operate as a bank or trust company bank under ch. 221 or this chapter, an organization may not begin activity as a fiduciary operation under this section after May 12, 1992. An organization engaged in fiduciary operations under this section on May 12, 1992, may continue to engage in fiduciary operations after that date.

SECTION 5. 223.105 (6) of the statutes, as affected by **1995 Wisconsin Acts 27** and (this act), is repealed and recreated to read:

223.105 (6) SUNSET. Except for an organization regulated by the office of credit unions or the division of savings and loan or an organization authorized by the division of banking to operate as a bank or trust company under ch. 221 or this chapter, an organization may not begin activity as a fiduciary operation under this section after May 12, 1992. An organization engaged in fiduciary operations under this section on May 12, 1992, may continue to engage in fiduciary operations after that date.

SECTION 6. 223.12 of the statutes is repealed and recreated to read:

223.12 Foreign trust company as executor or trustee in this state. **(1) EXCEPTION FROM QUALIFICATION TO DO BUSINESS.** Any foreign corporation may act in this state as trustee, executor, administrator, guardian, or in any other like fiduciary capacity, whether the appointment is by will, deed, court order or otherwise, without complying with any laws of this state relating to the qualification of corporations organized under the laws of this state to conduct a trust business or laws relating to the qualification of foreign corporations other than this section, only if the foreign corporation meets all of the following requirements:

(a) The foreign corporation is authorized by the laws of the state of its organization to act as a fiduciary in that state.

(b) The foreign corporation is organized under the laws of a state that permits all of the following to act in a fiduciary capacity upon conditions and qualifications that the office of the commissioner of banking finds are not unduly restrictive when compared to the laws of this state:

1. A corporation organized under the laws of this state.

2. A national banking association having its principal place of business in this state.

3. A federal savings association or federal savings bank having its principal place of business in this state and authorized to act as a fiduciary in this state.

(2) SERVICE OF PROCESS. Any foreign corporation acting in this state in a fiduciary capacity is considered to have appointed the commissioner of banking to be its true and lawful attorney upon whom may be served all legal process in any action or proceeding against it relating to or growing out of any trust, estate or matter in respect of which the foreign corporation has acted or is acting in this

1995 Senate Bill 440

state in any such fiduciary capacity. Engagement in this state in any acts in a fiduciary capacity signifies agreement that any process against it which is served under this subsection shall be of the same legal force and validity as though served upon it personally. Service of process under this subsection shall be made by delivering to the office of the commissioner of banking a copy of the process, together with any fee for service of process required by the commissioner. Service of process is sufficient if notice of such service and a copy of the process are, within 10 days after delivery to the office of the commissioner of banking, sent by registered mail by the plaintiff to the defendant at its principal office in such other state or territory and the plaintiff's affidavit of compliance with this requirement is appended to the summons. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee paid by the plaintiff to the commissioner at the time of the service may be recovered as taxable costs by the plaintiff if the plaintiff prevails in the action. The commissioner shall keep a record of all processes served upon the commissioner under this subsection and shall record the time of the service.

(3) RESTRICTIONS ON IN-STATE PRESENCE. A foreign corporation acting under sub. (1) may not establish or maintain in this state a place of business or branch office for the conduct of business as a fiduciary, but may establish and maintain in this state one or more representative offices if those offices do not act in a fiduciary capacity.

(4) CERTIFICATE OF AUTHORITY. (a) Prior to the time that any foreign corporation acts in this state as a testamentary trustee, trustee appointed by any court, trustee under any written agreement, declaration or instrument of trust, executor, administrator, guardian or in any other like fiduciary capacity, the foreign corporation shall do all of the following:

1. Apply to the office of the commissioner of banking for a certificate of authority with reference to the fiduciary capacity in which such foreign corporation proposes to act in this state.

2. Comply with s. 223.02.

(b) The commissioner of banking shall issue a certificate of authority to such corporation upon receiving satisfactory evidence that such foreign corporation meets the requirements of sub. (1). The certificate of authority shall recite and certify that such foreign corporation is eligible to act in this state in such fiduciary capacity pursuant to the provisions of this section. The certificate of authority shall remain in full force and effect until such time as such foreign corporation ceases to be eligible to so act under the provisions of this section.

(c) Each foreign corporation making application for a certificate of authority shall pay reasonable fees to the office of the commissioner of banking as determined by the commissioner for the services of that office.

1995 Senate Bill 440

- 3 -

(d) Any foreign corporation that is eligible to act in this state in a fiduciary capacity prior to the effective date of this paragraph [revisor inserts date], may continue to act in this state in any such fiduciary capacity without applying for a new certificate of authority under this subsection.

(e) Any foreign corporation acting in this state under a certificate of authority shall report changes in its name or address to the office of the commissioner of banking and shall notify the commissioner when it is no longer serving as a corporate fiduciary in this state.

(5) RIGHTS AND AUTHORITY OF FOREIGN CORPORATION. Any foreign corporation that is eligible to act in this state in a fiduciary capacity, duly acting and qualified as executor or trustee under any foreign will, or any declaration, agreement, or other instrument of trust, shall have the same rights and authority under such document as to real estate within this state which any natural person duly acting as such foreign executor or trustee may have under the laws of this state, without the foreign corporation being required to do any act qualifying it to do business within this state that is not required of a natural person acting as such foreign executor or trustee.

SECTION 7. 223.12 (1) (b) (intro.) of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (1) (b) (intro.) The foreign corporation is organized under the laws of a state that permits all of the following to act in a fiduciary capacity upon conditions and qualifications that the ~~office of the commissioner division~~ of banking finds are not unduly restrictive when compared to the laws of this state:

SECTION 8. 223.12 (2) of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (2) SERVICE OF PROCESS. Any foreign corporation acting in this state in a fiduciary capacity is considered to have appointed the ~~commissioner division~~ of banking to be its true and lawful attorney upon whom may be served all legal process in any action or proceeding against it relating to or growing out of any trust, estate or matter in respect of which the foreign corporation has acted or is acting in this state in any such fiduciary capacity. Engagement in this state in any acts in a fiduciary capacity signifies agreement that any process against it the foreign corporation which is served under this subsection shall be of the same legal force and validity as though served upon it the foreign corporation personally. Service of process under this subsection shall be made by delivering to the ~~office of the commissioner division~~ of banking a copy of the process, together with any fee for service of process required by the division. Service of process is sufficient if notice of such service and a copy of the process are, within 10 days after delivery to the ~~office of the commissioner division~~ of banking, sent by registered mail by the plaintiff to the defendant at its principal office in such other state or territory and the plaintiff's

affidavit of compliance with this requirement is appended to the summons. The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee paid by the plaintiff to the ~~commissioner division~~ at the time of the service may be recovered as taxable costs by the plaintiff if the plaintiff prevails in the action. The ~~commissioner division~~ shall keep a record of all processes served upon the ~~commissioner division~~ under this subsection and shall record the time of the service.

SECTION 9. 223.12 (4) (a) 1. of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (4) (a) 1. Apply to the ~~office of the commissioner division~~ of banking for a certificate of authority with reference to the fiduciary capacity in which such foreign corporation proposes to act in this state.

SECTION 10. 223.12 (4) (b) of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (4) (b) The ~~commissioner division~~ of banking shall issue a certificate of authority to such corporation upon receiving satisfactory evidence that such foreign corporation meets the requirements of sub. (1). The certificate of authority shall recite and certify that such foreign corporation is eligible to act in this state in such fiduciary capacity pursuant to the provisions of this section. The certificate of authority shall remain in full force and effect until such time as such foreign corporation ceases to be eligible to so act under the provisions of this section.

SECTION 11. 223.12 (4) (c) of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (4) (c) Each foreign corporation making application for a certificate of authority shall pay reasonable fees to the ~~commissioner division~~ of banking as determined by the ~~commissioner division~~ for the services of that ~~office division~~.

SECTION 12. 223.12 (4) (e) of the statutes, as affected by 1995 Wisconsin Act (this act), is amended to read:

223.12 (4) (e) Any foreign corporation acting in this state under a certificate of authority shall report changes in its name or address to the ~~office of the commissioner division~~ of banking and shall notify the ~~commissioner division~~ when it the foreign corporation is no longer serving as a corporate fiduciary in this state.

SECTION 13. 881.01 (3) and (4) of the statutes are repealed.

SECTION 14. 881.015 of the statutes is created to read:
881.015 Investment companies, investment trusts and collective investment vehicles. (1) In this section:

(a) "Collective investment vehicle" means an investment vehicle authorized for the collective investment of trust funds, including vehicles under [12 CFR 9](#).

(b) "Investment company" means an open-end or closed-end management investment company registered under [15 USC 80a-1](#) to [80a-64](#).

(c) "Investment trust" means an investment trust registered under 15 USC 80a-1 to 80a-64.

(2) In addition to other investments authorized by law for the investment of funds held by a fiduciary, or by the instrument governing the fiduciary relationship, a bank or trust company acting as a fiduciary, agent or otherwise may, in the exercise of its investment discretion or at the direction of another person authorized to direct investment of funds held by the bank or trust company as fiduciary, invest and reinvest in the securities of, or other interests in, an investment company, investment trust or collective investment vehicle, so long as the portfolio of the investment company, investment trust or collective investment vehicle consists of investments not prohibited by the governing instrument. In the absence of an express provision to the contrary, when a governing instrument directs or requires investment in obligations of the U.S. government or an agency of the U.S. government, a bank, trust company, trust department trustee or other fiduciary may invest in these obligations either directly or in the form of securities of, or other interests in, an investment company, investment trust or collective investment vehicle, if the portfolio of the investment company, investment trust or collective investment vehicle consists of obligations of the U.S. government or an agency of the U.S. government and repurchase agreements fully collateralized by these obligations.

(3) If the requirements of this subsection are met, a bank or trust company may invest or reinvest funds under sub. (2) in the securities of, or other interests in, an investment company, investment trust or collective investment vehicle, notwithstanding the fact that the bank or trust company or an affiliate of the bank or trust company provides services to the investment company, investment trust or collective investment vehicle such as those of an investment adviser, custodian, transfer agent, broker, registrar, paying agent, sponsor, distributor, administrator, manager or otherwise and receives compensation for those services. In order to invest or reinvest funds under sub. (2) in the securities of, or other interests in, the investment company, investment trust or collective investment vehicle for which the bank, trust company or affiliate provides services, the bank, trust company or affiliate shall disclose in writing the basis upon which any compensation for such services is calculated, whether expressed as a percentage of asset value or otherwise. The disclosure shall be made by prospectus, account statement or otherwise and shall be delivered, at least annually, to all persons to whom statements of account for the invested or reinvested funds are provided.

SECTION 15. 881.016 of the statutes is created to read:

881.016 Employes and agents of a fiduciary. Unless prohibited by the terms of the instrument governing a fiduciary relationship, a fiduciary may employ attorneys, accountants, investment advisers, agents or other persons, even if they are associated with the fiduciary, to

1995 Senate Bill 440

advise or assist the fiduciary in the performance of the fiduciary's duties. The fiduciary may act without independent investigation upon their recommendations or, instead of acting directly, employ one or more agents to perform any act of administration, whether or not discretionary. If the terms of the governing instrument do not address the authority of the fiduciary to delegate the fiduciary's duties, all of the following apply:

(1) The fiduciary may delegate some, but not all, of the fiduciary's duties to an agent.

(2) The employment of an agent by the fiduciary does not relieve the fiduciary of liability for acts of the agent that, if done by the fiduciary, would result in the liability of the fiduciary.

(3) The employment of an agent by a fiduciary does not relieve the fiduciary of the fiduciary's duty to use reasonable care in selecting and retaining the agent.

SECTION 15m. 881.02 of the statutes is amended to read:

881.02 Construction; court orders; written instruments. Nothing contained in this chapter shall be construed as authorizing any departure from, or variation of, the express terms or limitations set forth in any will, agreement, court order or other instrument creating or defining the fiduciary's duties and powers, but the terms "legal investment" or "authorized investment" or words of similar import, as used in any such instrument, shall be taken to mean any investment which is permitted by the terms of s.881.01 this chapter.

SECTION 16. 1995 Wisconsin Act 27, section 6202 is repealed.

SECTION 17. 1995 Wisconsin Act 27, section 9459 (7) is amended to read:

[1995 Wisconsin Act 27] Section 9459 (7) Department of financial institutions. The repeal of sections 15.55, 15.555 (title), 15.595 (title), 15.82, 15.825 (title), 15.85, 20.124 (intro.) and (1) (title), 20.124 (1) (g), 20.141 (intro.) and (1) (title), 20.175, 20.185 (intro.) and (1) (title) and (g), 20.923 (4) (c) 5., 20.923 (4) (d) 3., 20.923 (4) (d) 11., 186.01 (1), 186.012 (1), 186.119, 214.01 (1) (f), 215.01 (21), 215.02 (1), (2) and (3), 217.02 (6), 218.01 (1) (c), 218.01 (1) (d), 218.02 (1) (b), 218.05 (1) (a), 220.02 (1), 220.02 (6), 230.08 (2) (L) 1., 230.08 (2) (L) 6. and 230.08 (2) (L) 7. of the statutes, the renumbering of sections 20.124 (1) (a), 20.124 (1) (u), 20.141 (1) (m) and 20.185 (1) (h) of the statutes, the renumbering and amendment of sections 15.555 (1), 15.555 (2), 15.59, 15.595 (1), 15.825 (1), 15.825 (2), 20.141 (title), 20.141 (1) (g), 138.09 (1) and 230.08 (2) (L) 3. of the statutes, the amendment of sections 15.01 (6), 15.02 (3) (c) 1., 15.06 (1) (b), 15.135 (5), 20.912 (4), 20.923 (4) (c) 3., 25.40 (1) (a) 2., 34.01 (2) (a), 34.03 (intro.), 34.03 (2), 34.03 (3), 34.03 (4), 34.08 (1), 34.08 (2), 34.08 (3), 34.09, 34.10, 34.11, 35.86 (1), 66.412, 66.416 (2), 71.26 (1) (d), 112.07 (1), 138.052 (5) (am) 2. a., 138.052 (5) (am) 2. b., 138.055 (4) (a), 138.055 (4) (b), 138.055 (4) (d), 138.056

1995 Senate Bill 440

- 5 -

(1) (a) 4. a., 138.056 (1) (a) 4. b., 138.056 (1) (a) 4. d., 138.09 (2), 138.09 (3) (a), 138.09 (3) (b), 138.09 (3) (c), 138.09 (3) (d), 138.09 (3) (e), 138.09 (3) (f), 138.09 (4) (intro.), 138.09 (4) (a), 138.09 (4) (b), 138.09 (4a), 138.09 (6) (a), 138.09 (6) (b), 138.09 (7) (bn) 4., 138.09 (11), 138.12 (1) (a), 138.12 (1) (c), 138.12 (2) (a), 138.12 (3) (b) (by Section 4179), 138.12 (3) (c), 138.12 (4) (a) (by Section 4182), 138.12 (4) (am), 138.12 (4) (b) (intro.), 138.12 (5) (b), 138.12 (5) (c), 138.12 (6) (a), 138.12 (7), 177.30 (2), 186.012 (title), 186.012 (2), 186.012 (3), 186.012 (4), 186.015 (1), 186.015 (2), 186.015 (3) (a), 186.015 (3) (b), 186.015 (3) (c), 186.02 (1), 186.02 (3) (a), 186.02 (3) (b), 186.02 (4) (a), 186.02 (4) (b), 186.03, 186.04 (1), 186.04 (2), 186.04 (5), 186.098 (7), 186.098 (8) (b), 186.098 (10), 186.098 (12), 186.11 (1), 186.11 (2) (b), 186.112, 186.113 (1), 186.113 (1m) (a) 3., 186.113 (1m) (a) 4., 186.113 (2), 186.113 (15) (a), 186.113 (15) (c), 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214.725 (7), 214.735, 214.74 (title), 214.74 (1), 214.74 (2), 214.74 (3), 214.74 (4), 214.745, 214.75 (1), 214.75 (2), 214.75 (3), 214.75 (4), 214.75 (5) (a), 214.755 (1) (intro.), 214.76 (1), 214.76 (3), 214.76 (4), 214.76 (5) (a) (intro.), 214.76 (5) (a) 3., 214.76 (5) (b), 214.765 (1), 214.765 (2), 214.765 (3), 214.772 (4) (a) 5., 214.772 (4) (b) (intro.), 214.772 (4) (b) 1., 214.772 (4) (c) (intro.), 214.772 (4) (c) 2., 214.772 (4) (c) 3., 214.772 (5), 214.772 (6), 214.772 (7), 214.775 (intro.), 214.78 (1) (a), 214.78 (1) (b), 214.78 (1) (c), 214.78 (3), 214.785 (1), 214.785 (2), 214.82 (title), 214.82 (1) (intro.), 214.82 (1) (a), 214.82 (1) (b), 214.82 (1) (e), 214.82 (1) (h), 214.82 (1) (j), 214.82 (2), 214.82 (3), 214.825, 214.83, 214.835 (intro.), 214.835 (1), 214.835 (3), 214.84, 214.845, 214.85, 214.855, 214.90 (intro.), 214.90 (1) (b), 214.90 (5), 214.90 (6), 214.905 (1) (intro.), 214.905 (1) (c), 214.905 (2), 214.91 (1) (intro.), 214.91 (1) (a), 214.91 (2) (intro.), 214.915 (1), 214.92, 214.925 (1), 214.93, 214.935 (intro.), 214.935 (1), 215.01 (6), 215.01 (19), 215.01 (20) (a), 215.01 (20) (b), 215.02 (4), 215.02 (5), 215.02 (6) (a) (intro.), 215.02 (6) (a) 3., 215.02 (6) (a) 4. (intro.), 215.02 (6) (a) 4. a., 215.02 (6) (a) 4. b., 215.02 (6) (a) 5., 215.02 (6) (a) 6., 215.02 (7) (title), 215.02 (7) (a), 215.02 (7) (c), 215.02 (7) (d), 215.02 (8), 215.02 (9), 215.02 (10) (a) 1. (intro.), 215.02 (10) (a) 1. b., 215.02

(10) (a) 2., 215.02 (10) (a) 3., 215.02 (10) (b), 215.02 (11) (a), 215.02 (11) (b), 215.02 (12), 215.02 (14) (title), 215.02 (14) (a), 215.02 (15) (a) 1. (intro.), 215.02 (15) (b), 215.02 (15) (c), 215.02 (15) (d), 215.02 (16) (a), 215.02 (16) (b), 215.02 (16) (c) 1., 215.02 (16) (c) 2., 215.02 (16) (d), 215.02 (17) (a), 215.02 (17) (b), 215.02 (18), 215.03 (1), 215.03 (2) (a), 215.03 (2) (b), 215.03 (5) (title), 215.03 (5) (a), 215.03 (5) (b), 215.03 (6) (a) 1., 215.03 (6) (a) 2. c., 215.03 (6) (a) 3., 215.03 (6) (b), 215.03 (7) (a), 215.03 (7) (b), 215.03 (8) (a), 215.03 (8) (b), 215.03 (8) (c), 215.04 (1) (a), 215.04 (1) (b), 215.04 (1) (c), 215.04 (3) (b), 215.04 (4), 215.04 (6), 215.11 (1), 215.11 (2), 215.11 (3), 215.11 (4) (a), 215.11 (4) (b), 215.11 (5), 215.13 (21), 215.13 (22), 215.13 (26) (intro.), 215.13 (26) (f), 215.13 (27), 215.13 (28), 215.13 (31), 215.13 (36), 215.13 (39), 215.13 (40), 215.13 (41), 215.13 (42), 215.13 (46) (a) 1., 215.13 (46) (a) 3., 215.13 (46) (a) 4., 215.13 (47), 215.13 (51), 215.135 (1), 215.135 (2), 215.141, 215.15 (1), 215.15 (3) (a) (intro.), 215.15 (3) (b), 215.15 (3) (c), 215.16 (intro.), 215.18 (3), 215.20 (2), 215.205 (intro.), 215.205 (4), 215.21 (1) (intro.), 215.21 (1) (c), 215.21 (5) (a), 215.21 (6) (a), 215.21 (7) (intro.), 215.21 (7) (c), 215.21 (14), 215.21 (15), 215.21 (17) (b) (intro.), 215.21 (17) (b) 2., 215.21 (17) (d) 2., 215.21 (28), 215.22 (2), 215.23 (intro.), 215.24, 215.25, 215.26 (3), 215.26 (4) (a), 215.26 (5), 215.26 (8) (b) 1., 215.26 (8) (b) 3., 215.26 (9), 215.32 (title), 215.32 (1m) (intro.), 215.32 (1m) (h), 215.32 (2) (intro.), 215.32 (2) (a), 215.32 (2) (b), 215.32 (3), 215.32 (4), 215.32 (5), 215.32 (6) (title), 215.32 (6) (a), 215.32 (6) (b), 215.32 (6) (c), 215.32 (6) (d), 215.32 (6) (e), 215.32 (6) (em) 1., 215.32 (6) (f), 215.32 (6) (g), 215.32 (6) (h), 215.32 (7) (a) 1. (intro.), 215.32 (7) (a) 1. a., 215.32 (7) (a) 2., 215.32 (7) (a) 3. (intro.), 215.32 (7) (c) (intro.), 215.32 (7) (d), 215.32 (8), 215.32 (9), 215.32 (10), 215.32 (11), 215.32 (13) (intro.), 215.32 (13) (a), 215.32 (13) (b), 215.32 (13) (c), 215.32 (13) (d), 215.32 (14), 215.32 (15) (a), 215.32 (15) (b), 215.32 (15) (c), 215.33 (3) (a) 5., 215.33 (3) (b) (intro.), 215.33 (3) (b) 1., 215.33 (3) (b) 2., 215.33 (3) (c) (intro.), 215.33 (3) (c) 2., 215.33 (3) (c) 3., 215.33 (4), 215.33 (5), 215.33 (6), 215.35 (1) (intro.), 215.36 (2) (b), 215.36 (3) (b), 215.36 (5) (a) (intro.), 215.36 (5) (b), 215.36 (5) (c), 215.36 (5) (d), 215.36 (5) (e), 215.36 (7) (intro.), 215.36 (7) (ct), 215.36 (7) (e), 215.36 (9) (a), 215.36 (11), 215.40 (1) (c), 215.40 (2) (intro.), 215.40 (2) (d), 215.40 (3), 215.40 (4) (e), 215.40 (5), 215.40 (6) (a), 215.40 (6) (b), 215.40 (6) (d), 215.40 (6) (e), 215.40 (7) (a), 215.40 (7) (b) (intro.), 215.40 (7) (b) 2., 215.40 (7) (b) 3., 215.40 (7) (c), 215.40 (8), 215.40 (11), 215.40 (13) (a) (intro.), 215.40 (13) (a) 1., 215.40 (13) (a) 3., 215.40 (13) (a) 9., 215.40 (13) (b), 215.40 (14), 215.40 (15), 215.40 (17), 215.40 (18), 215.41 (1), 215.41 (2), 215.41 (3), 215.41 (5), 215.42 (1), 215.42 (2), 215.42 (3), 215.50 (1), 215.50 (6), 215.50 (7), 215.50 (10), 215.50 (11) (a), 215.53 (1) (a) (intro.), 215.53 (1) (a) 4., 215.53 (3), 215.56 (1) (b) 1., 215.56 (2), 215.56 (6),

1995 Senate Bill 440

215.56 (7) (a), 215.56 (7) (b) (intro.), 215.56 (7) (b) 3., 215.56 (8), 215.57 (1) (b), 215.57 (1) (d) 1., 215.57 (1) (d) 2., 215.57 (4), 215.58 (1) (a), 215.58 (1) (b), 215.58 (1) (c) (intro.), 215.58 (1) (c) 2., 215.58 (2) (intro.), 215.58 (2) (c), 215.58 (3), 215.58 (6) (intro.), 215.59 (1) (c), 215.59 (1) (d) 3., 215.59 (1) (e) 1., 215.59 (1) (e) 3., 215.59 (1) (f) (intro.), 215.59 (1) (f) 3., 215.59 (1) (g), 215.59 (3) (a) 10., 215.59 (3) (a) 12., 215.59 (4), 215.60 (1) (c), 215.60 (2) (intro.), 215.60 (2) (c), 215.60 (3), 215.60 (4) (h), 215.60 (5), 215.60 (6), 215.60 (7), 215.60 (10), 215.60 (11) (a) (intro.), 215.60 (11) (a) 1., 215.60 (11) (a) 2., 215.60 (11) (a) 3., 215.60 (11) (a) 7., 215.60 (11) (b), 215.60 (12), 215.60 (13), 215.60 (14), 215.60 (15), 215.61 (1), 215.61 (2), 215.61 (5), 215.62 (1), 215.62 (2), 215.62 (3), 215.64 (1), 215.67, 215.70 (1), 215.70 (4), 215.73 (1) (a) (intro.), 215.73 (3), 215.76 (1) (b) 1., 215.76 (2), 215.76 (6), 215.76 (7) (a), 215.76 (7) (b) (intro.), 215.76 (7) (b) 3., 215.76 (8), 215.77 (1) (b), 215.77 (1) (d) 1., 215.77 (1) (d) 2., 215.77 (4), 217.02 (3), 217.02 (10), 217.03 (1), 217.03 (2), 217.05 (intro.), 217.05 (5) (a), 217.05 (5) (c) (by Section 5803), 217.06 (intro.), 217.06 (2), 217.06 (3) (a), 217.06 (3) (b), 217.07, 217.08 (2), 217.08 (3), 217.09 (1) (intro.), 217.09 (1) (c), 217.09 (2), 217.09 (3), 217.09 (4), 217.09 (5), 217.09 (6), 217.10 (intro.), 217.10 (2), 217.12 (4), 217.15, 217.17 (1), 217.17 (2), 217.18 (1), 217.18 (2), 217.18 (3), 217.19 (title), 217.19 (1), 217.19 (2), 217.19 (4), 217.19 (5), 217.19 (6), 217.20, 217.21 (1), 217.21 (2), 218.01 (1) (jm), 218.01 (1) (k), 218.01 (1a), 218.01 (2) (b) (by Section 5843), 218.01 (2) (bb), 218.01 (2) (bc), 218.01 (2) (bd) 1. and 1g., 218.01 (2) (bd) 2., 218.01 (2) (bf), 218.01 (2) (bm) 1. a., 218.01 (2) (bm) 2. b., 218.01 (2) (cm) 2., 218.01 (2) (cm) 3., 218.01 (2) (cm) 4., 218.01 (2) (cm) 5., 218.01 (2) (d) 1., 218.01 (2) (d) 8. a., 218.01 (2) (d) 8. b., 218.01 (2) (dm) 1., 218.01 (2) (dm) 2., 218.01 (2) (h) 2., 218.01 (2) (i), 218.01 (2) (k) (intro.), 218.01 (2a) (a), 218.01 (2a) (b), 218.01 (2a) (c), 218.01 (2w) (b), 218.01 (3) (a) 17., 218.01 (3) (a) 36. a., 218.01 (3) (a) 36. b., 218.01 (3) (bf) 1., 218.01 (3) (c) 3., 218.01 (3) (f) 1., 218.01 (3) (fm) 1., 218.01 (3) (g), 218.01 (3) (h), 218.01 (3a) (title), 218.01 (3a) (a), 218.01 (3a) (b), 218.01 (3a) (c), 218.01 (3c) (c), 218.01 (3c) (d), 218.01 (3x) (b) 1., 2. and 3., 218.01 (5) (b) 1., 218.01 (5) (b) 3., 218.01 (6) (b) (intro.), 218.01 (6) (em), 218.01 (7a) (a), 218.01 (7a) (b), 218.01 (7b), 218.02 (2) (a), 218.02 (2) (b) (by Section 5898), 218.02 (2) (c), 218.02 (3) (intro.), 218.02 (4), 218.02 (5) (b), 218.02 (5) (c), 218.02 (6) (intro.), 218.02 (6) (c), 218.02 (7) (intro.), 218.02 (7) (c), 218.02 (9) (a), 218.02 (9) (b), 218.02 (9) (c), 218.04 (1) (c), 218.04 (3) (a), 218.04 (3) (b) (by Section 5914), 218.04 (3) (c) (by Section 5916), 218.04 (3) (d), 218.04 (4) (a), 218.04 (4) (b), 218.04 (5) (a) (intro.), 218.04 (5) (a) 1., 218.04 (5) (a) 2., 218.04 (5) (c), 218.04 (6) (a), 218.04 (6) (b), 218.04 (6) (c) (intro.), 218.04 (7) (intro.), 218.04 (7) (b), 218.04 (7) (c), 218.04 (8), 218.04 (9), 218.04 (9g) (b), 218.04 (9m) (title), 218.04 (9m) (a), 218.04 (9m) (b), 218.04

(9m) (c), 218.04 (9m) (e), 218.04 (9m) (f), 218.04 (9m) (g), 218.04 (9m) (h), 218.04 (10) (a), 218.04 (10) (b), 218.04 (13), 218.05 (2), 218.05 (3) (a) (intro.), 218.05 (3) (a) 3., 218.05 (3) (b) (by Section 5950), 218.05 (3) (c), 218.05 (4), 218.05 (6), 218.05 (8), 218.05 (10) (b), 218.05 (10) (c), 218.05 (11) (by Section 5958), 218.05 (12) (a) (intro.), 218.05 (12) (a) 1., 218.05 (12) (a) 2., 218.05 (12) (a) 3., 218.05 (12) (b), 218.05 (12) (c), 218.05 (12) (d), 218.05 (12) (e), 218.05 (13), 218.05 (14) (a), 218.05 (14) (b) 1., 218.05 (14) (b) 2., 218.05 (14) (c) 1., 218.05 (14) (c) 2., 220.02 (title), 220.02 (2) (intro.), 220.02 (3), 220.02 (5), 220.035 (1) (a), 220.035 (1) (b), 220.035 (1) (c), 220.035 (1) (d), 220.035 (4), 220.037 (1), 220.037 (2), 220.04 (title), 220.04 (1) (a), 220.04 (1) (b), 220.04 (2), 220.04 (3), 220.04 (4), 220.04 (5), 220.04 (6) (a), 220.04 (6) (d), 220.04 (7) (b) (intro.), 220.04 (7) (b) 1., 220.04 (8), 220.04 (9) (a) 2., 220.04 (9) (b) (intro.), 220.04 (9) (b) 1., 220.04 (9) (b) 3., 220.04 (9) (d), 220.04 (9) (e) 1., 220.04 (9) (f) 1., 220.04 (9) (g) (intro.), 220.04 (10), 220.05 (title), 220.05 (1), 220.05 (2), 220.05 (5), 220.05 (6), 220.06 (1), 220.06 (1m), 220.06 (2), 220.06 (3) (a), 220.065, 220.07 (1), 220.07 (2), 220.075 (1), 220.075 (3), 220.075 (4), 220.08 (title), 220.08 (1), 220.08 (2), 220.08 (2a), 220.08 (3), 220.08 (3a), 220.08 (3b), 220.08 (4), 220.08 (5), 220.08 (6), 220.08 (7), 220.08 (8), 220.08 (9), 220.08 (10), 220.08 (11), 220.08 (12), 220.08 (13), 220.08 (14), 220.08 (15), 220.08 (16), 220.08 (17), 220.08 (18), 220.08 (19) (intro.), 220.08 (19) (b), 220.08 (19) (c), 220.08 (19) (d), 220.08 (20), 220.08 (20a), 220.081 (1), 220.081 (4), 220.086, 220.09, 220.10, 220.12, 220.13, 220.14 (intro.), 220.14 (1), 220.14 (7), 220.28, 220.285 (1), 221.01 (1), 221.01 (2) (e), 221.01 (3), 221.01 (4), 221.01 (5), 221.01 (6), 221.01 (10), 221.01 (11), 221.01 (12) (b), 221.01 (12) (c), 221.01 (12) (d) 1., 221.01 (12) (d) 2., 221.01 (13), 221.03 (1), 221.03 (2) (a) 2., 221.03 (3), 221.03 (4), 221.03 (5), 221.03 (6), 221.04 (1) (intro.), 221.04 (1) (jm) 1., 221.04 (1) (jm) 3., 221.04 (1) (jm) 4., 221.04 (1) (jm) 5., 221.04 (1) (jm) 6., 221.04 (1) (jm) 8., 221.04 (1) (jm) 9., 221.04 (1) (k) 1., 221.04 (1) (k) 3., 221.04 (1) (k) 4., 221.04 (1) (n) 1. (intro.), 221.04 (1) (n) 3m. (intro.), 221.04 (1) (n) 4., 221.04 (1) (p), 221.04 (1) (pm), 221.04 (3e) (a), 221.04 (3e) (b), 221.04 (4) (a), 221.04 (4) (b), 221.04 (4h), 221.04 (4m), 221.04 (5), 221.04 (6), 221.04 (6m), 221.04 (7), 221.041 (5), 221.045 (1), 221.046 (1), 221.046 (2), 221.047 (title), 221.047 (1), 221.047 (4), 221.05, 221.06 (intro.), 221.06 (1), 221.06 (2), 221.07, 221.08 (3), 221.08 (9), 221.09 (1) (intro.), 221.09 (5), 221.12, 221.14 (1), 221.14 (4s), 221.14 (5), 221.14 (6), 221.15 (1), 221.15 (3), 221.15 (4), 221.15 (6), 221.15 (7), 221.16, 221.18, 221.19, 221.205, 221.21, 221.22, 221.23, 221.24 (1), 221.245, 221.25 (1), 221.25 (3), 221.25 (4), 221.26, 221.27 (2), 221.27 (3) (g), 221.28, 221.29 (1) (f), 221.295 (1), 221.295 (2), 221.295 (3), 221.295 (4), 221.295 (6), 221.296 (1), 221.296 (2), 221.297 (1), 221.297 (2), 221.33 (1), 221.37 (1), 221.38

(1) (b), 221.38 (2), 221.41, 221.43, 221.47, 221.50, 221.51, 221.52, 221.53, 221.56 (1), 221.57, 221.58 (2) (b), 221.58 (4) (a), 221.58 (4) (b), 221.58 (4) (c), 221.58 (4) (d), 221.58 (4) (e), 221.58 (6) (intro.), 221.58 (6) (em), 221.58 (6) (g), 221.58 (8) (a), 221.58 (10), 223.02 (1), 223.02 (2), 223.025, 223.03 (10), 223.03 (14), 223.07 (1), 223.07 (3), 223.105 (2) (a), 223.105 (3) (a), 223.105 (4), 223.105 (5), 223.105 (6), 223.12 (1), 224.06 (1), 224.06 (3), 224.06 (4), 224.06 (5), 224.075, 227.52, 227.53 (1) (b) 2., 227.53 (1) (b) 3., 227.53 (1) (b) 4., 227.53 (1) (b) 5., 422.505 (1) (e), 426.103, 426.104 (2) (intro.), 426.203, 551.02 (3) (h), 551.02 (4), 551.02 (7) (f), 551.02 (12), 551.22 (1) (a), 551.22 (1) (b) (intro.), 551.22 (7), 551.22 (8), 551.22 (9), 551.22 (10), 551.22 (14), 551.22 (17), 551.23 (2), 551.23 (3) (c), 551.23 (3) (d), 551.23 (8) (f), 551.23 (8) (g), 551.23 (9), 551.23 (10), 551.23 (11) (b), 551.23 (12), 551.23 (15) (intro.), 551.23 (15) (a), 551.23 (18), 551.23 (19) (c) 2. a., 551.23 (19) (c) 2. b., 551.23 (19) (d), 551.23 (19) (f), 551.235 (intro.), 551.235 (6) (a) (intro.), 551.235 (6) (a) 5., 551.235 (6) (b), 551.24 (1), 551.24 (2), 551.24 (4) (intro.), 551.24 (6), 551.25 (2) (b), 551.25 (2) (c), 551.25 (2) (d), 551.25 (3) (a) 2., 551.25 (3) (a) 3., 551.25 (3) (b), 551.26 (2), 551.26 (3), 551.26 (4), 551.27 (1), 551.27 (4), 551.27 (5), 551.27 (7), 551.27 (8), 551.27 (9), 551.27 (10), 551.27 (11), 551.27 (12), 551.27 (14), 551.27 (15), 551.28 (1) (intro.), 551.28 (1) (c), 551.28 (1) (g), 551.28 (2), 551.28 (3), 551.28 (4), 551.28 (6), 551.28 (7), 551.31 (2) (b) 2., 551.31 (2) (c), 551.31 (2) (d), 551.31 (4), 551.31 (5), 551.31 (7) (b), 551.32 (1) (a), 551.32 (1) (b), 551.32 (1) (c) (intro.), 551.32 (1) (c) 2., 551.32 (1) (c) 4., 551.32 (1) (d), 551.32 (4), 551.32 (5), 551.32 (6), 551.32 (7), 551.33 (1), 551.33 (2), 551.33 (3), 551.33 (4), 551.33 (5), 551.33 (6), 551.34 (1) (intro.), 551.34 (1) (e), 551.34 (1) (f), 551.34 (1) (k), 551.34 (1) (m), 551.34 (2), 551.34 (3), 551.34 (4), 551.34 (5), 551.34 (6), 551.43, 551.44, 551.51 (1), 551.51 (2), 551.52 (1) (b) (intro.), 551.52 (3), 551.52 (4), 551.53 (1) (b), 551.53 (2), 551.54, 551.55, 551.56 (1) (intro.), 551.56 (1) (b), 551.56 (2), 551.56 (3) (a), 551.57, 551.58 (2), 551.59 (6) (a), 551.59 (6) (c), 551.60 (title), 551.60 (1), 551.60 (2) (a), 551.60 (2) (b), 551.60 (2) (c), 551.60 (3), 551.60 (4), 551.60 (5), 551.605 (1) (a) (intro.), 551.605 (1) (a) 1., 551.605 (1) (c), 551.605 (1) (d), 551.605 (2), 551.61 (1), 551.61 (2), 551.61 (3), 551.61 (5), 551.62 (1), 551.62 (2), 551.63 (1), 551.63 (2), 551.63 (3), 551.63 (4), 551.64 (1), 551.64 (2), 551.64 (3), 551.64 (4), 551.64 (5), 551.65 (1), 551.65 (2), 552.01 (1), 552.01 (2), 552.03 (1) (intro.), 552.03 (3), 552.03 (4), 552.03 (5), 552.03 (6), 552.05 (1), 552.05 (2) (intro.), 552.05 (3), 552.05 (4), 552.05 (5), 552.05 (6), 552.07 (1), 552.07 (2), 552.08, 552.09 (5), 552.11 (2), 552.11 (5), 552.11 (6), 552.13 (1), 552.13 (2), 552.13 (3), 552.13 (4), 552.15 (1), 552.15 (3), 552.17, 552.19 (2), 552.23 (1), 553.03 (3), 553.03 (5m) (a), 553.03 (5m) (d), 553.03 (9), 553.22 (1) (intro.), 553.22 (1) (c), 553.22 (1) (d), 553.22 (2), 553.22 (3) (intro.),

553.22 (3) (a), 553.22 (3) (d), 553.235 (2) (b), 553.24 (1), 553.24 (2), 553.24 (4) (intro.), 553.24 (6), 553.25, 553.26 (intro.), 553.26 (4), 553.26 (7) (intro.), 553.26 (18), 553.26 (20), 553.27 (2), 553.27 (3), 553.27 (4), 553.27 (6), 553.27 (7), 553.27 (8), 553.27 (9), 553.27 (10), 553.27 (11) (a), 553.27 (11) (b), 553.28 (1) (intro.), 553.28 (1) (a), 553.28 (1) (e), 553.28 (2), 553.28 (3), 553.29 (1) (a), 553.29 (1) (b), 553.29 (2), 553.29 (3), 553.30 (1), 553.30 (2), 553.31 (1), 553.31 (2), 553.41 (1), 553.41 (2), 553.41 (5), 553.51 (4), 553.53 (1), 553.53 (2), 553.54 (1), 553.54 (3), 553.54 (4), 553.55 (1), 553.55 (2), 553.55 (3) (a), 553.56 (1), 553.56 (2), 553.56 (3), 553.56 (5), 553.57, 553.58 (1), 553.58 (2), 553.58 (3), 553.58 (4), 553.58 (5), 553.60, 553.605 (1) (a) (intro.), 553.605 (1) (a) 1., 553.605 (1) (c), 553.605 (1) (d), 553.605 (2), 553.71 (1), 553.71 (2), 553.72 (intro.), 553.72 (2), 553.72 (3), 553.73, 553.74 (1), 553.74 (2), 553.75 (1), 553.75 (2), 553.75 (3), 553.75 (4), 553.75 (5), 553.78, 601.415 (9), 611.76 (11), 616.74 (1) (c), 701.107 (4), 701.108 (1)

1995 Senate Bill 440

(b), 701.108 (1) (c), 701.108 (1) (d), 701.108 (1) (e), 701.108 (2) (intro.), 701.108 (2) (f) (intro.), 701.108 (2) (i), 701.108 (3) (b) 2., 701.108 (3m) (b), 766.565 (7) and 813.16 (7) of the statutes, the repeal and recreation of sections 215.02 (title) and 218.01 (2) (bd) 1g. of the statutes, the creation of sections 15.18, 15.183, 15.185 (title), 15.185 (7) (title), 20.144 (intro.), 20.144 (1) (title), 20.144 (1) (g), 20.923 (4) (f) 3f., 138.09 (1d), 214.01 (1) (im), 214.72 (1) (am), 217.02 (2m), 218.02 (1) (d), 218.05 (1) (d), 220.01 (1m), 230.08 (2) (e) 4f. and 701.107 (3m) of the statutes and Sections 9106 (1), 9115 (1), 9149 (1), 9151 (1), 9206 (1), 9249 (1) and (2) and 9251 (1) and (2) of this act take effect on July 1, 1996.

SECTION 18. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The amendment of section 223.12 (1) (b) (intro.), (2) and (4) (a) 1., (b), (c) and (e) of the statutes and the repeal and recreation of section 223.105 (6) of the statutes take effect on July 1, 1996.
